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April 21, 2022

By ECF

Honorable Robert W. Lehrburger
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Zagerson v. New York City Department of Education et al.
20-cv-11055 (KPF) (RWL)

Dear Magistrate Judge Lehrburger:

I am an Assistant Corporation Counsel in the office of Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for the New York City Department of Education, et al. ("Defendants") in the above-referenced action. For the reasons discussed below, Defendants respectfully request the settlement conference in the above-referenced action be adjourned sine die.

Defendants acknowledge that in the case management plan, the parties gave inconsistent responses. We indicated that the parties were too far apart for a settlement conference to be productive, but elsewhere requested a settlement conference. Defendants apologize for the confusion that this caused.

Since the submission of the case management plan, and following the April 19, 2022 conference, Plaintiff's counsel served an updated settlement demand. After reviewing this demand, it is apparent that a settlement at this time is not possible. Accordingly, and so as not to waste the Court's resources, Defendants respectfully request that the upcoming May 17, 2022 settlement conference be adjourned sine die.

Finally, in the event the Court denies this request, Defendants respectfully request that the Court relieve Defendants of the obligation to have a representative from the Comptroller's Office attend the conference in person. Defendants respectfully request permission to have a representative from the Comptroller's Office available by telephone should the need arise during the conference to contact them.

Defendants thank the Court for its time and consideration of this matter.

Respectfully,

/s/ Lauren A. Rosenfeld

Lauren A. Rosenfeld
Assistant Corporation Counsel

cc: Bryan Glass, Plaintiff Counsel, via ECF

The request to adjourn the settlement conference is denied. Defendants' request with respect to a representative of the Comptroller is granted.

SO ORDERED:

4/26/2022

A handwritten signature in black ink, appearing to be 'R. Lehrburger', written over a horizontal line.

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE